

Message Text

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46

ACTION ARA-10

INFO OCT-01 ISO-00 OES-06 ARAE-00 SCS-03 SCA-01 L-03 EB-07

H-02 INR-07 DLOS-04 PRS-01 CG-00 DOTE-00 SS-15

TRSE-00 COME-00 SAL-01 INRE-00 SSO-00 PM-04 DODE-00

USIE-00 PA-01 /066 W

----- 045508

O 101425Z MAY 76

FM AMEMBASSY BRASILIA

TO SECSTATE WASHDC IMMEDIATE 5527

LIMITED OFFICIAL USE BRASILIA 4074

E.O. 11652: N/A

TAGS: EFIS; PFOR; BR; US

SUBJ: SEIZURE OF US SHRIP BOAT SEAFAIR

REF: (A) STATE 110028; (B) MARSHALL-ELTZ TELECON MAY 7

1. SUMMARY. EMBASSY HAS PRESENTED DIPLOMATIC NOTE PROTESTING FINE LEVIED ON SHRIMP BOAT SEAFAIR. END SUMMARY.

2. ON MAY 7, COUNSELLOR ECON/COMMERCIAL PRESENTED DIPLOMATIC NOTE TO PAULO PINHEIRO, NEW CHIEF OF FOREIGN MINISTRY'S BASIC PRODUCTS DIVISION, WHICH HANDLES FISHERIES ISSUES. IN COMMENTING ON THE NOTE, COUNSELOR MADE USE OF POINTS PARAGRAPHS 2. A AND B REFTEL AND NOTED TEXTS OF APPLICABLE BRAZILIAN DECREE LAW, WHICH SUPPORT US POSITION.

3. PINHEIRO SAID FOREIGN MINISTRY AND NAVY WOULD HAVE TO STUDY THE MATTER. HE SAID THAT ALMOST CONTINUOUS VIOLATIONS OF AGREEMENT OVER THE PAST YEAR HAD CAUSED CONSIDERABLE IRRITATION AND ILL FEELINGS IN NAVY CIRCLES, THAT PATROLLING HAD BEEN STEPPED UP, AND THAT VIOLATORS WOULD HENCEFORTH BE BROUGHT INTO PORT.

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4. COMMENT: IN A TELEPHONE CONVERSATION DURING

THE MEETING PINHEIRO REFERRED TO QUOTE A CONFUSION UN-
QUOTE (UMA CONFUSAO), LEAVING THE CLEAR IMPRESSION
THAT THE BRAZILIAN POSITION HAD NOT BEEN THOUGHT THROUGH
AND STAFFED OUT. HE ALSO NOTED THAT DECREE LAW NO.
6276 WAS NEW, AND ALLOWED THE IMPOSITION OF MORE REASONABLE
FINES AND PENALTIES IN PLACE OF THE DRASTIC
PENALTIES OF THE OLD LAW (I.E., CONFISCATION OF THE
VESSEL AND IMPRISONMENT OF THE CAPTAIN). HE CONCEDED
THAT TO AVOID A HEAD-ON COLLISION OF THE TWO INDIVIDUAL
CONCEPTIONS BRAZIL IN THE PAST HAD WINKED AT VIOLATIONS AND
APPLIED THE BILATERAL AGREEMENT IMPROPERLY (I.E. TO
CASES WHERE DOES NOT APPLY). WITH THE NEW LAW IN HAND, THE
GOB APPARENTLY HAS FELT THAT IT COULD NOW LET THE NAVY
STEP UP ENFORCEMENT, WITHOUT EXCESSIVELY SERIOUS DIPLO-
MATIC CONSEQUENCES.
CRIMMINS

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Message Attributes

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Disposition Authority: buchant0
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Disposition Reason:
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Margaret P. Grafeld
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04 MAY 2006

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